

Application No. 10/780,271
Response dated October 29, 2009
Reply to Office Action of April 29, 2009

REMARKS

This is responsive to the office action dated April 29, 2009. A response is due on July 29, 2009 without an extension of time. A three month extension of the time for response, until October 29, 2009, is enclosed herewith.

Claims 1, 3-16, 18-19, 22-30, 32-34, 36-41, 43-45 and 47-56 are now pending in this application. Claims 1, 27, 32, 33, 40, 47, and 56, the independent claims, are currently amended.

Claims 27-30, 33-34, and 36-39 were rejected under 35 U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The Examiner has questioned recitations involving "means (or step) plus function" limitations. Specifically, the Examiner has questioned the recitation in the claims of "digital computer means", "means for generating", "means for updating", "means for updating a path", "transmitting means", and "means for substantially simultaneously", as well as whether the recited structure, material, or acts are sufficient for performing the claimed function.

First of all, the claims are supported by an enabling disclosure because the person skilled in the art would know how to make and use the invention without a description of elements to perform the function. The structure of the claimed invention is conventional and can be determined without an undue amount of experimentation. *In re Ghiron*, 442 F.2d 985, 991, 169 USPQ 723, 727 (CCPA 1971).

Next, in answer to the Examiner's question, Applicants do preserve the link when the linked document is deleted from the system. This has been and is now reflected in the claim language which since the hyper link is operable following the transmission.

Claims 1, 3-16, 18-19, 22-30, 32-34, 36-41, 43-45, and 47-56 were rejected under 35 U.S.C. §103 (a) as being unpatentable under *Kim et al* (U.S. Patent Publication No. 2003/0120729) in view of *Ferguson et al* (U.S. Patent No. 6,820,094) and *Grefenstette* (U.S. Patent Publication No. 2004/0205448).

The present invention is directed to a data-management system and device to be provided to a digital computer terminal for generating a link in real time between an electronic document opened in a computer application and a target document. The documents are opened for display and editing. The digital computer terminal includes a computer readable memory and a data-capture device, while the

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data-management system includes data-capture logic and device for controlling capture of electronic data by the data-capture device, target-document logic for generating the target document from the electronic data, which represents an information object captured by a data-capture device, and link-generating logic for substantially simultaneously storing the target document in the computer readable memory and generating the link to the target document in the electronic document in real time. The present invention also provides a data-management system for generating a plurality of links to target documents in an electronic document.

The present invention is different in that a link is not limited to HTML and can include C, Basic, Java, Assembler, and the like. The present invention does not require an HTTP server, and can operate self-contained on a stand-alone PC (no network required), or over a network of any type – TCP/IP, IPX/SPX, Banyan's Vines, AppleTalk, DLC, etc. The present invention creates links in a spreadsheet, word processing document, database, or flowchart and can create multiple links in the same process required to create one link. The present invention also creates a link to any type of electronic document, regardless of what application created the document, and regardless of what application is required to view the document. Thus, the present invention goes beyond simple document management applications, since its main purpose is preparing documents with supporting links to be transmitted electronically while maintaining the operability of the links.

The Examiner has correctly noted that Kim et al does not explicitly teach data management logic to automatically update a path of a link. The Kim device creates a HTML page and link to the image file that is created to allow access via a HTTP server. The present claims now emphasize that the link is a hyper link to distinguish any general “links” in the prior art, and the link allows for the opening, display, and editing of the target document. Kim does not suggest that capability.

Kim teaches a document management system in which a web browser can retrieve a file over a TCP/IP network. The update that Ferguson describes is between the STG (attribute file) and the Smart folder, not between the links' target file and the source document. Smart folders are described as folders associated with certain categories or criteria. Source documents are associated with smart folders based on attributes found in their associated STG files.

For example, a smart folder could be created with the category “Green”. Therefore, all STG files

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with a Color attribute of Green would be associated with the Green smart folder. When a STG file's color attribute is changed from Green to Red the link between the STG file and the Green smart folder would be eliminated. From this, how does Ferguson teach us how to update the underlying path to a link? Ferguson never describes updating link paths but instead exhaustively describes categories and categorization of documents – see Column 6, Lines 65- end, Column 7, Lines 1 – 45. An STG file is not a link to a specific electronic document; instead it is a file that contains many attributes that describe a corresponding electronic document.

Ferguson teaches a document management application program and provides a way to automatically import, index, categorize, store, search, retrieve, manipulate and archive electronic documents. As the Examiner has noted Ferguson in column 3 lines 59-65 and column 7 lines 47-57 teaches updating a file. As stated in Ferguson "an existing STG file may be updated if the corresponding document is modified". But it is also noted in the section quoted by the Examiner in column 7 that Ferguson teaches that "if a document is modified such as the modification causes the document to no longer meet the category criteria of a particular smart folder, the link between the documents STG and the smart folder may be eliminated." This does not teach updating the link and Ferguson does not teach the inclusion of link editing logic for such a purpose. Further, Ferguson does not teach opening, displaying and editing documents.

Grefenstette teaches a meta-document management system with document identifiers in which a personality that identifies enrichment themes of a document is associated with a reading or mobile computing device. It provides for facilitating services which are suggested to the users. It associates the services with the documents. It does not teach opening, displaying, and editing documents, nor is it for that purpose. It is a teaching that is similar to Ferguson and adds nothing to the combination of the Kim and Ferguson references. The updating of link or hyperlink paths is never mentioned in Grefenstette. They only mention of updating the source document from the target documents is in paragraph [0295] in which Grefenstette describes a meta container that is created by specifying source documents from which information is pulled and inserted into the meta document. The "updating" that is mentioned is not the updating of link paths to these source documents but the polling of those source documents for new information that is then re-inserted into the meta document. Grefenstette does not teach updating the link

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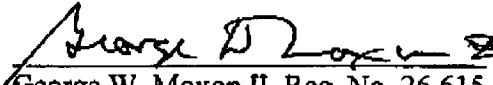
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and does not teach the inclusion of link editing logic for such a purpose.

Since neither Ferguson nor Kim or any combination thereof suggest updating the link as is claimed in applicants' currently amended claims, and the deficiencies are not cured by Grefenstette, applicants' claims should be considered patentable. Therefore, reconsideration and withdrawal of the rejections and allowance of the claims pending in the application, namely Claims 1, 3-16, 18-19, 22-30, 32-34, 36-41, 43-45 and 47-56 is respectively requested.

Should the Examiner wish to discuss any of the foregoing in more detail, the undersigned attorney would welcome a telephone call.

Respectfully submitted,


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